

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88  
ECF Case

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**This document relates to the following case:**

*City of New York v. Amerada Hess Corp., et al.*  
Case No. 04 Civ. 3417

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**DECLARATION OF MARNIE E. RIDDLE WITH EXHIBITS IN OPPOSITION  
TO DEFENDANTS' MOTION TO BAR PUNITIVE DAMAGES BASED ON THE  
MARKET SHARE AND COMMINGLED PRODUCT THEORIES**

Marnie E. Riddle, an attorney duly admitted to appear in this case, hereby declares under penalty of perjury:

1. I am an attorney with the law firm of Sher Leff LLP, counsel for Plaintiff City of New York ("the City") in the above-captioned matter. I submit this Declaration in opposition to Defendants' Motion to Bar Punitive Damages Based on the Market Share and Commingled Product Theories (hereinafter "Motion"). This Declaration authenticates the exhibits attached hereto and relied on in the City's Opposition to Defendants' Motion. In accordance with this Court's Individual Rules and Procedures, the exhibits have been excerpted to include only the relevant material. Copies of each of the exhibits appended hereto were made at my direction on or around April 30, 2009.

2. Attached as Exhibit 1 is a true and correct copy of a Letter from Susan E. Amron to James A. Pardo, re: *City of New York v. Amerada Hess, et al.*, 04 CV 3417

(SDNY); *In re MTBE Products Liability Litigation*, MDL 1358 (April 13, 2009), including a true and correct copy of Exhibit A to that Letter.

3. Attached as Exhibit 2 are true and correct copies of selected pages from the Expert Rebuttal Report of Bruce F. Burke, submitted in the above-captioned case (February 6, 2009).

4. Attached as Exhibit 3 is a true and correct copy of a Letter from Richard E. Wallace, Jr. to Nicholas G. Campins, re: City of New York v. Hess, No. 04-CIV-3417, MDL No. 1358, *Defendants' Motion To Bar Punitive Damages* (March 25, 2009).

On this 30th day of April 2009, I hereby declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

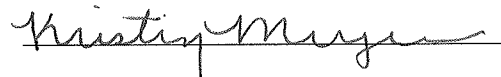
Dated: San Francisco, CA  
April 30, 2009

s/ Marnie E. Riddle  
Marnie E. Riddle  
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*Attorney for Plaintiff City of New York*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of **Declaration of Marnie E. Riddle with Exhibits in Opposition to Defendants' Motion to Bar Punitive Damages Based on the Market Share and Commingled Product Theories** was served on Liaison Counsel via Electronic Mail, and on all counsel of record by posting it directly to CM/ECF and LexisNexis File & Serve on the 30<sup>th</sup> day of April, 2009.

A handwritten signature in cursive script, appearing to read "Kristin Meyers", written over a horizontal line.

KRISTIN MEYERS